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CITE DIRECTOR

TO: TEHRAN.

FOR AMBASSADOR HELMS FROM WARNER

REF: TEHRAN

1. THE DEPARTMENT OF JUSTICE IS STILL PREPARING THE ANSWERS FOR THE BOHMER SUIT IN SAN DIEGO. YOU WILL RECALL THIS PLAINTIFF WAS A MEMBER OF THE SAN DIEGO CONVENTION COALITION AND HIS BASIC COMPLAINT IS AGAINST THE FBI AND THE SAN DIEGO SHERIFF'S OFFICE, HOWEVER, THERE ARE ALLEGATIONS WITH REGARD TO THE MAIL INTERCEPT PROGRAM. AS I EXPLAINED TO YOU IN OUR PHONE CONVERSATION THERE IS AN INVESTIGATION UNDER WAY WITHIN THE DEPARTMENT OF JUSTICE WITH REGARD TO THE MAIL INTERCEPT PROGRAM. WE DO NOT HAVE A READING AT THIS TIME WITH REGARD TO A DECISION OF WHETHER OR NOT TO PROSECUTE ANYONE CONNECTED WITH THAT PROGRAM.

2. THE DOJ ATTORNEYS HANDLING THE BOHMER SUIT ARE CONSIDERING SENDING WAIVER LETTERS FOR YOUR SIGNATURE WHICH IN EFFECT MEANS THAT THE DEPARTMENT OF JUSTICE WILL ONLY REPRESENT YOU IN THIS SUIT IF YOU AGREE TO WAIVE THE ATTORNEY CLIENT PRIVILEGE WITH REGARD TO ANY MATTERS THEY MIGHT CONSIDER SUBJECT TO PROSECUTION.

3. IN MY OPINION THIS IS A FORMALITY REQUIRED BY THE DEPARTMENT OF JUSTICE AND I WOULD RECOMMEND YOUR SIGNING THE LETTER WHEN YOU RECEIVE IT. IT IS, HOWEVER, YOUR DECISION AND YOU HAVE THE RIGHT IF YOU CHOOSE TO ENGAGE PRIVATE COUNSEL TO DEFEND YOU IN THIS PARTICULAR SUIT.

4. PLEASE UNDERSTAND THAT THIS WAIVER LETTER IS NOT AN INDICTMENT AND IS MERELY AN INDICATION THAT CERTAIN ACTIVITIES ARE UNDER PROSECUTORIAL INVESTIGATION BY THE DEPARTMENT OF JUSTICE. I HAVE EXPLAINED THIS TO LARRY HOUSTON IN MORE DETAIL AND HIS LETTER IS EXPECTED TO COME VIA THE EMBASSY POUCH AND WAS MAILED 12 AUGUST. BEST REGARDS.

HR70-14  
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APPROVED FOR RELEASE  
DATE: MAR 2008

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